

## **Chapter 1.16**

### **GENERAL PENALTY**

#### **Sections:**

#### **1.16.010 Violation--**

#### **Misdemeanor.**

#### **1.16.020 Apprehension and prosecution of violators.**

#### **1.16.010 Violation--**

#### **Misdemeanor.**

A. A violation of any of the provisions of any ordinance of the city shall constitute a misdemeanor and any violator shall be fined not in excess of Five Hundred Dollars (\$500.00) and said fine in all instances shall replace the previous maximum of Two Hundred Dollars (\$200.00), including but not limited to all penalty or fine references found in Titles 1, 2, 3, 5, 6, 8, 9, 10, 12, 13, 15 and 17 of the City Ordinances. Conviction shall not preclude civil liability to the City for any damages caused the City by the illegal act. Each separate violation of an ordinance shall constitute a separate offense.

B. Each day that the violation of a City ordinance occurs shall constitute a separate offense.

C. In case any person, firm or corporation violates any ordinance of the City, the City, in addition to other remedies, may institute any appropriate action or proceedings to prevent such unlawful act or to restrain, correct or abate such violation. (Ord. 327 § 1, 1997) (Amended 2007) (Amended 2008)

#### **1.16.020 Apprehension and**

#### **prosecution of violators.**

A. Whenever any person is arrested for a violation of the ordinances of the City, the arresting officer, in his or her discretion, shall take the name and address of such person and the license number of his or her motor vehicle and driver's license and issue a summons or otherwise notify him or her in writing to appear at a time and place to be specified in the summons or notice. The time shall be at least five days after the arrest unless the person arrested demands an earlier hearing. Such officer shall upon the giving by such person of his or her written promise to appear, release him or her from custody.

B. Any person refusing to give written promise to appear shall be taken immediately by the arresting officer before the nearest or most accessible magistrate.

C. Any person who intentionally violates his or her written promise to appear, given in accordance with the provision of this section, shall be fined a maximum of Five Hundred Dollars (\$500.00) regardless of the disposition of the charge upon which he or she was originally arrested. (Ord. 356 §§ 1--3, 2002; prior code § 12.0101) (Amended 2007)